

**REMARKS**

Claims 1 and 3-12 are pending in this application. By the Office Action, the drawings and Abstract are objected to; claims 1-9 are objected to; and claims 1 and 9-12 are rejected under 35 U.S.C. §103. By this Amendment, the Abstract and claims 3 and 5-8 are amended. No new matter is added.

Applicants thank the Examiner for the indication that claims 2-8 are objected to as being dependent upon a rejected base claim, but are otherwise allowable. By this Amendment, independent claim 1 is amended to incorporate the subject matter of allowable claim 2.

I. **Objection to the Drawings**

The drawings are objected to as not showing the light absorbing particles contained in the light absorbing layers, as specified in claim 5. Applicants respectfully traverse the rejection.

Claim 5 specifies that the light absorbing layers of the first optical functional element are formed of a transparent material having a refractive index smaller than that of a material forming the protrusions of the first optical functional element, the light absorbing layers containing light absorbing particles. Regarding claim 5, the figures clearly show the light absorbing layers. See items 7 in, for example, Figs. 1-7 and 10. Although the figures do not specifically show the light absorbing particles in the light absorbing layers, such figures typically do not show all of the constituent materials used to form a layer or piece. In fact, often the figures are not conducive to showing individual constituents of items, such as layers, and are only conducive to showing the parts or layers themselves.

Because the figures clearly show the light absorbing layers themselves, and because the claims clearly and unambiguously recite that the light absorbing layers contain light absorbing particles, Applicants respectfully submit that the figures need not specifically show

the light absorbing particles. Accordingly, reconsideration and withdrawal of the objection are respectfully requested.

II. Objection to the Specification

The specification is objected to because the Abstract exceeds 150 words in length, and the drawing reference numbers should be in parentheses. By this Amendment, the Abstract is amended accordingly. Reconsideration and withdrawal of the objection are respectfully requested.

III. Objection to Claims

Claims 1 and 9 are objected to, because the phrase "substantially perpendicular" is not clearly defined. For examination, the Office Action has interpreted the phrase to be "nearly perpendicular."

Applicants agree with the Office Action's interpretation, and submit that no amendment to the claims is required. The term has been properly interpreted, in the same manner that the term would be understood by one of ordinary skill in the art.

IV. Rejections Under §103

Claims 1 and 9 are rejected under 35 U.S.C. §103(a) over Moshrefzadeh. Claims 10-12 are rejected under 35 U.S.C. §103(a) over Moshrefzadeh in view of Sekiguchi. Applicants respectfully traverse the rejection.

Although Applicants do not necessarily agree with the rejections, in the interest of advancing prosecution independent claim 1 is amended herein to incorporate the subject matter of non-rejected claim 2. Accordingly, the rejections are overcome and should be withdrawn. Reconsideration and withdrawal of the rejection are respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Joel S. Armstrong  
Registration No. 36,430

JAO:JSA

Attachment:  
Substitute Abstract

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**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

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